HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2287 OF 2006.

Mr. Mohamed Dastagir Mohamed Sayeed Bhopali.
..Petitioner.
versus.
The State of Maharashtra & Others. ..Respondents.

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judges' Order

Shriram Shirsat for the petitioner.

D. S. Mhaispurkar A.P.P. for the State.

CORAM: S.B.MHASE & S.R.SATHE, JJ.
DATE: December 8, 2006.

P.C.

1. Heard learned counsel for the petitioner. This is a petition claiming compensation from the respondent - State for his detention. It is an admitted fact that the police has registered several crimes as against the petitioner. However, in those crimes, the petitioner was either discharged or acquitted. It further appears that the Human Rights Commission, after having considered the case of the petitioner, has directed to hold the departmental

enquiry as against the concerned police officer. However, whether the actions taken by the police officers were reasonable in the facts and circumstances of the case is a question to be decided before the compensation is to be granted. We find that the appropriate remedy available for such a relief is by way of a civil suit for malicious prosecution. We find that thorough alternate remedy is available to the petitioner. We do not desire to interfere in the matter. Petition is hereby rejected.

(S.R.SATHE,J.) **(S.B.MHASE, J.)**

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